



IFW 3728

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MARY L. BUSSLER

Serial No.: 10/051,327

Filed: January 22, 2002

Group Art Unit: 3728

Examiner: John T. Kavanaugh

For: A SHOE HAVING A RELATIVE WIDE TOE BOX COMBINED WITH A
FOOTBED TO INHIBIT RELATIVE FORWARD FOOT MOVEMENT

Docket No.: 0981/1

REQUEST FOR RECONSIDERATION

To the Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is to request reconsideration of the Notice of Non-Compliant Amendment (37 CFR §1.121) dated September 15, 2005. This notice check marked as "Non-Compliant" No. 4.C., "Amendments to the Claims: Each claim has not been provided with the proper status identification and, as such, the individual status of each claim cannot be identified."


The foregoing does not appear to be correct based on our file record of the Amendment filed May 18, 2005. Enclosed herewith are copies of pages 4-9 of such Amendment. It will be noted that on both pages 4 and 5 Claims 1-9 were listed as "cancelled" and Claims 10-30 were each listed as "new." Accordingly, each claim has been provided with a proper status identifier and, as such, the individual status of each claim is identified. The status indicators were limited to "cancelled" and "new." The text of each "new" claim is specifically set forth. The Revised

Amendment Status effective July 30, 2003 has been followed. The parenthetical expression "new" is set forth before the text of all pending claims, whereas cancelled claims have been indicated only by the applicable claim number and status, without presenting the text of such claims. Accordingly, each claim being presented has definitely been provided with a proper status indicator as shown in our file record, copies of pages 4-9 being appended hereto.

In view of the foregoing, the Notice of Non-Compliant Amendment (37 CFR §1.121) appears to be incorrect and its withdrawal is respectfully requested.

Respectfully submitted,

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